

SENATE BILL NO. 507

INTRODUCED BY B. STORY

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN ELECTION ON THE WITHDRAWAL OF TERRITORY FROM A COUNTY PARK DISTRICT MUST BE HELD IF AN ADEQUATE PETITION FOR THE WITHDRAWAL OF TERRITORY IS RECEIVED; AMENDING SECTION 7-16-2441, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-16-2441, MCA, is amended to read:

"7-16-2441. Alteration of district boundaries. (1) The boundaries of a county park district may be enlarged by the annexation of contiguous territory in the county or it may be reduced in size by the withdrawal of territory from the district after an election on the question approved by simple majorities of the electorate involved.

(2) The alteration of the district boundary may be initiated in the same manner as the creation of the district, except the applicable resolutions, hearings, and procedures must be adopted and conducted by the county park district commission and not by the county governing body. If the alteration is proposed by petition, the petition must be signed by 15% of the electorate in the territory to be annexed or withdrawn from the district and certified as sufficient by the county clerk.

(3) (a) In the case of annexation, the vote on the question requires the separate majorities of the electorate of the territory to be annexed and the electorate of the then constituted district.

(b) In the case of withdrawal of territory, only the electorate of the territory to be withdrawn may vote on the question. An election on the withdrawal of territory must be held if an adequate petition is received pursuant to subsection (2).

(4) A change in the boundaries of a district is effective on January 1 of the year following the election authorizing the change in boundaries."

NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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